

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Monroe R. Parker, Jr., #70259,)
Plaintiff,) C/A No.: 4:07-0287-MBS-TER
vs.)
Beaufort County Detention Center;)
Southern Health Partners; Phillip A. Foot;)
C.E. Allen, P.J. Tanner; Sgt. R. Edwards,)
Jr.; Magistrate O.G. Chase;)
Defendants.)

)

O R D E R

Plaintiff Monroe R. Parker, Jr. A pretrial detainee currently housed at the Beaufort County Detention Center in Beaufort, South Carolina. Plaintiff, appearing pro se, brings this action pursuant to 42 U.S.C. § 1983, alleging that his constitutional rights have been violated in various respects.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Thomas E. Rogers III for pretrial handling. The Magistrate Judge reviewed the complaint pursuant to the provisions of 28 U.S.C. §§ 1915, 1915A, and the Prison Litigation Reform Act. On April 9, 2007, the Magistrate Judge filed a Report and Recommendation in which he recommended that the case be dismissed as to Defendants Beaufort County Detention Center and Magistrate O.G. Chase. Plaintiff filed no response to the Report.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by

the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has thoroughly reviewed the record. The court concurs in the Report and Recommendation of the Magistrate Judge and incorporates it herein by reference. The case is dismissed without prejudice and without issuance and service of process as to Defendants Beaufort County Detention Center and Magistrate O.G. Chase. The within case is recommitted to the Magistrate Judge for additional pretrial handling.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

May 7, 2007.

Columbia, South Carolina